

SECRET

23 August 1957

MEMORANDUM FOR THE RECORD

SUBJECT: Classification Status of SO Information Made Public by  
Drew Pearson

1. At 1445 hours on 22 August 1957 in [redacted] 25X1  
Mr. John S. Warner, [redacted] and [redacted] not to discuss the classification status of information revealed  
recently by Drew Pearson on a television program. The information  
in question was that which Mr. Pearson attributed [redacted], a  
document disseminated by CIA in 1949 as SECRET information.

2. The case involved whether or not Drew Pearson could be  
prosecuted for revealing classified information. Mr. Warner  
(Office of General Counsel) and [redacted] (Office of Security) 25X1  
wanted to determine whether the legitimacy of any claimed classi-  
fication of the revealed material would hold up under the criterion  
that it was classified because it "affected the National defense".

[redacted] (Far East Division), representing the office that  
originated the document, was asked to state whether or not the  
information was classified at the time of its revelation in terms  
of its effect upon the Clandestine Services and "the national  
defense".

3. [redacted] read a transcript of what Mr. Pearson said  
[redacted] during the broadcast in question. [redacted] stated  
that although [redacted] had never been declassified by the Far East  
Division and was thus technically still classified SECRET, the  
statements made by Mr. Pearson regarding the content [redacted]  
could not be considered classified in the sense that they revealed  
information which would affect the Clandestine Services in such a  
way as to "affect the national defense".

4. Mr. Warner said that the sense of this statement and its  
effect upon the case against Mr. Pearson would be incorporated in  
a memorandum written by [redacted] and coordinated  
with [redacted] Chief, Foreign Intelligence DD/P.

cc: General Counsel, Mr. Warner  
cc: DD/Security (775)

[redacted] Chief, [redacted]

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SECRET

Executive Registry  
9-6292

VIA LIAISON

The Director  
Federal Bureau of Investigation  
10th and Pennsylvania Avenue, N. W.  
Washington 25, D. C.

Attention: Mr. Sam Papich

Dear Sir:

25X1  
25X1  
25X1

In your letter of 2 August 1957 you requested certain information concerning the Central Intelligence Agency's report No. [redacted] quoted by Mr. Drew Pearson in his [redacted]. You are advised that the disseminated copies [redacted] consisted of only one page per copy and were prepared on a ditto process with the classification "SECRET" appearing in ditto on each copy of the report.

25X1

The report and the information contained therein had not been declassified as of 16 June 1957. However, after a careful review we have determined that the information quoted by Mr. Pearson, standing by itself, does not contain information relating to the national defense as of the date of disclosure, that is [redacted]

In connection with your request for the identity of the individual who could testify concerning the classification of the specific report and whether or not it contained information relating to the national defense, you are advised that there are a number of individuals who could testify. Since some of these individuals are assigned to different locations from time to time, the names are not being furnished at this time although

SECRET

we would be pleased to make an individual available at your convenience if you so desire.

If there are any further questions on this subject, we shall be pleased to assist you upon request.

Sincerely,

/S/

**Sheffield Edwards  
Director of Security**

**CONCURRENCE:**

S/

23 AUG 1957

**JOHN S. WARNER  
Acting General Counsel**

(2)

AUG 23 1957

25X1

Approved  
151 CPC  
27 Aug 57

[redacted]  
**Chief, Foreign Intelligence**

25X1

OS:DD/PPS [redacted] rj  
OGC:JSW:jeb

cc: Director of Security (2) w/basic  
Chief, Foreign Intelligence  
General Counsel

cc: T6/2/Intelligence/wlMull

SECRET

Approved For Release 2004/05/12 : CIA-RDP62-00631R0004000500

**MEMORANDUM FOR: ACTING DIRECTOR**

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In accordance with our discussion, this matter has been reviewed with DD/P and Security and it has been agreed that the information quoted by Drew Pearson [redacted]

25X1

[redacted] need not be considered classified.

We have answered the Bureau query on this point utilizing the exact language of their question. In view of our answer it is assumed that the Bureau would take no further action on the case. The Chief, FI and the Security Office have seen and approved this reply to the Bureau.

Recommend you approve sending of the proposed letter.

23 August 1957

(DATE)

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**Acting General Counsel**

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**MEMORANDUM FOR: THE ACTING DIRECTOR  
(For Concurrence)**

Attached is a proposed reply prepared by Colonel Edwards to the FBI query concerning the Drew Pearson telecast. I concur in the letter.

Of particular interest is the third question as to whether or not the information can be declassified. Although this is a problem, the larger problem is the probable extent of information to be developed either on direct or cross-examination in the event of prosecution. With this in mind, we are proposing discussion with

**MEMORANDUM FOR: THE ACTING DIRECTOR**

the Department of Justice. Colonel Edwards will deliver the letter to Sam Papich by hand.

I am informed that Mr. Dulles is very concerned with the thought of prosecution.

JOHN S. WARNER  
Acting General Counsel

Second page will  
be retyped prior

19 August 1957  
(DATE)

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SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM.			
	UNCLASSIFIED	CONFIDENTIAL	SECRET
<b>CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP</b>			
TO	NAME AND ADDRESS		INITIALS
1	Mr. Warner		
2			
3			
4			
5			
6			
ACTION	DIRECT REPLY	PREPARE REPLY	
APPROVAL	DISPATCH	<input checked="" type="checkbox"/> RECOMMENDATION	
COMMENT	FILE	RETURN	
CONCURRENCE	INFORMATION	SIGNATURE	
Remarks: Per phone conversation			

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.

DATE

DEPUTY DIRECTOR

CPC

7/1/04

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COURIER'S CLASSIFIED MAIL RECEIPT	
TO <i>C/PI 10671</i>	NO. <i>030 7-1351a</i>
FROM <i>DDC 201 East</i>	DATE OF PICK-UP <i>8/23/57</i>
TYPE OF MATERIAL	
SIGNATURE OF RECIPIENT	TIME RECEIVED
SIGNATURE OF COURIER <i>EB</i>	TIME OF PICK-UP <i>100</i>

FORM NO. 240 REPLACES FORM 35-16  
1 MAY 55 WHICH MAY BE USED.

Approved For Release 2004/05/12 : CIA-RDP62-00631R000400050023-9

**VIA LIAISON**

**The Director  
Federal Bureau of Investigation  
10th and Pennsylvania Avenue, N. W.  
Washington 25, D. C.**

**Attention: Mr. Sam Papich**

**Dear Sir:**

**The answers to the questions raised in your letter of 2 August 1957 on the subject of the Drew Pearson telecast of 16 June 1957 are as follows:**

**Question:** Whether the disseminated copies of the report contained a security classification stamp, and whether the particular page of the report from which Mr. Pearson quoted contained a security classification stamp. (The FBI copy of the report contains only one page.)

**Answer:** Disseminated copies [redacted] were prepared on a ditto process with the classification appearing in ditto on all copies of the report.

25X1

**Question:** Whether the information quoted by Pearson, standing by itself, contained information relating to the national defense as of the date of disclosure. [redacted]

**Answer:** Yes.

25X1

Question: Whether the information disclosed can be declassified in the event of prosecution.

Answer: The answer to this question involves other aspects concerning which we would like to discuss with your representatives and appropriate representatives of the Department of Justice.

In connection with your request for the identify of the individual who could testify concerning the classification of the specific report and whether or not it contained information relating to the national defense, you are advised that there are a number of individuals who could testify. Due to timing and other circumstances relating to a possible prosecution, we are not in a position to name now the specific individual who would be available for this purpose.

If I can be of further help, please let me know.

Sincerely,

Sheffield Edwards  
Director of Security

CONCURRENCES:

C. P. Cabell  
Lieutenant General, USAF  
Acting Director

(P)   
Acting General Counsel

Date

Date

Distribution:

Orig & 1 - Addressee  
1 - ADCI  
1 - ER  
1 - C/PersD  
1 - OGC  
2 - OS

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**MEMORANDUM FOR: THE ACTING DIRECTOR**

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(S)

**JOHN S. WARNER  
Acting General Counsel**

**19 August 1957  
(DATE)**

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UNCLASSIFIED

CIA INTERNAL

Approved For Release 2004/05/12 : CIA-RDP62CONFIDENTIALA0050023-9

Security 3  
SECRET

## ROUTING AND RECORD SHEET

FE - 3-585

SUBJECT: (Optional)

FROM:

25X1

25X1

NO. 09C - 7-1453  
MEMORANDUM FOR THE RECORD

FE

DATE

23 August 1957

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

REC'D

FWD'D

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

Office of General Counsel

28 Aug

JW

Attn: Mr. Warner

See 3

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